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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

PAUL NASH JR #03741-509,
Petitioner

CIVIL DOCKET NO. 5:23-CV-01806
SEC P

VERSUS

JUDGE TERRY A. DOUGHTY

WARDEN F C I - TALLADEGA,
Respondent

MAGISTRATE JUDGE PEREZ-MONTES

ORDER OF TRANSFER

Pro se Petitioner Paul Nash, Jr. (“Nash”) filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 challenging the computation of his sentence by the Bureau of Prisons. However, a § 2241 petition must be filed in the district in which the prisoner is incarcerated. *See Lee v. Wetzel*, 244 F.3d 370, 373 (2001) (“[W]e have firmly stated that the district of incarceration is the only district which has jurisdiction to entertain a defendant’s § 2241 petition.”).

Nash is not incarcerated in this district, nor was he in this district at the time of filing. Even though Nash was convicted and sentenced in the Western District of Louisiana, the Court lacks jurisdiction over his § 2241 Petition.

Under 28 U.S.C. § 1404(a), for the convenience of parties and witnesses and in the interest of justice, a district court may transfer any civil action to any other district or division where it could have been brought. Such a transfer may be ordered sua sponte. *Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761 (5th Cir. 1989).

Accordingly, IT IS ORDERED that the Petition be TRANSFERRED to the United States District Court for the Northern District of Alabama (Eastern Division) for further proceedings. *See* 28 U.S.C. § 1406(a).

SIGNED on Wednesday, March 27, 2024.



JOSEPH H.L. PEREZ-MONTES
UNITED STATES MAGISTRATE JUDGE